

§157.40 Paramedic License

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1 **Because this rule is being revised substantially to standardize it with the other personnel**
2 **certification and licensure rules, it is staff's and legal's recommendation to repeal current**
3 **157.40 and propose a new 157.40.**

4
5 Legend:

6 Staff Recommendation

7 Legal Recommendation

8
9 §157.40. Paramedic Licensure.

10
11 (a) Requirements for paramedic licensure.

12
13 (1) A currently certified paramedic may apply for a paramedic license if the
14 candidate has at least one of the following degrees from an institution of post secondary
15 education which has been accredited by an agency recognized by the U.S. Department of
16 Education as an approved accrediting authority:

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18 (A) an associate degree in emergency medical services (EMS);

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20 (B) a baccalaureate degree; or

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22 (C) a postgraduate degree.

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24 (2) Initial paramedic license. A candidate for initial paramedic licensure under
25 this section shall:

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27 (A) be at least 18 years of age;

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29 (B) submit an application and a nonrefundable fee, if applicable, of \$120;
30 EMS volunteer - no fee; however, if the applicant later receives compensation during the
31 renewed licensure period, the exemption ceases and the individual shall pay a prorated fee to the
32 department based on the number of years remaining in the licensure period when employment
33 begins. The non-refundable fee shall be \$30 per each year remaining in the licensure. Any
34 portion of a year that the licensed paramedic receives compensation for his paramedic service
35 will count as a full year.

36
37 (C) provide evidence of current active or inactive National Registry
38 certification at the appropriate level

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40 (D) have met the appropriate requirements in paragraph (1) of this
41 subsection;

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(E) submit an official transcript from an accredited institution of post secondary education showing successful completion of at least one of the academic degrees referenced in paragraph (1) of this subsection;

(F) An initial candidate not currently holding a current EMT-paramedic certification shall complete all requirements for licensure no later than two years after the candidate's course completion date. A candidate holding a current EMT-paramedic certification may apply at any time.

(G) The application will expire two years from the date the mailed application is postmarked, or the date a faxed, online submission or hand-delivered application is received at the department.

(i) The National Registry certification described in (C) of this subsection must remain current until the final requirement for paramedic licensure is met.

(ii) The applicant shall update the application if any changes occur between the time of original submission until the final requirement for licensure is met.

(3) Verification of information. After verification by the department of the information submitted by the candidate, a candidate who meets the requirements will be issued a paramedic license valid for a period of four years from the date of issuance of the license. A candidate must verify current licensure before staffing an EMS vehicle. Licensure may be verified by the applicant's receipt of the official department identification card, by using the department's certification website, or by contacting the department directly.

(4) The license is not transferable.

(5) Duplicate copies of the paramedic license [copy] may be issued, by the department to replace lost credentials for a fee of \$10.

(6) A licensed paramedic may not hold another department EMS certification except for that of EMS coordinator or EMS instructor.

(b) Renewal of paramedic license.

(1) Prior to the expiration of a license, the department may send a notice of expiration by United States mail or electronic mail to the licensee at the address shown in current records of the Bureau of Emergency Management (bureau). It is the responsibility of the licensed paramedic to notify the bureau of any change of address.

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(2) If a licensed paramedic has not received notice of expiration from the department at least 30 days prior to the expiration of the license, it is the duty of the license holder to notify the department and request an application for renewal of the license. Failure to apply timely for renewal of the license shall result in expiration of the license.

(3) To maintain licensure status without a lapse, an applicant shall submit an application and fee (if applicable) for renewal of a license and shall complete all requirements for renewal of the license prior to the expiration date, but no earlier than one year prior to the expiration date.

(A) The licensee shall submit a non-refundable fee of \$120 with the application.

(B) EMS volunteer- no fee. However, if the applicant later receives compensation during the renewed licensure period, the exemption ceases and the individual shall pay a prorated fee to the department based on the number of years remaining in the licensure period when employment begins. The non-refundable fee shall be \$30 per each year remaining in the licensure. Any portion of a year that the licensed paramedic receives compensation for his paramedic service will count as a full year.

(C) Applicants holding a paramedic license may renew by completing any of the recertification options listed in section §157.34 (b). A licensee selecting Option 2, as defined in §157.34 (b) (2) of this title, and in accordance with §157.38 of this title (relating to Continuing Education) may substitute up to 12 contact hours in the Preparatory content area and up to 48 contact hours of continuing education in the Additional Approved Categories area with any course of non-clinical professional development study approved by the licensee's medical director.

(4) After verification by the department of the information submitted, the paramedic license will be renewed for four years beginning on the day following the expiration date of the license. A new wallet-size card signed by department officials will be issued.

(5) A license is not transferable.

(6) Military personnel. A licensed paramedic who is deployed in support of military, security, or other action by the United Nations Security Council, a national emergency declared by the president of the United States, or a declaration of war by the United States Congress, is eligible for relicensure under timely relicensure requirements from the person's date of demobilization until one calendar year after the date of demobilization but will not be licensed during that period.

(A) In addition to requirements described in subsection (a) of this section, the candidate shall submit a copy of deployment and demobilization orders.

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(B) If all requirements are not completed within one year after date of demobilization, the candidate must meet the requirements of late paramedic relicensure within one additional year, as described in paragraph (c) of this section.

(c) Late paramedic relicensure.

(1) Following the expiration date of the paramedic license, a candidate shall not be considered licensed and may not function in the capacity of an EMS licensee or certificant or represent that he is licensed or certified until relicensure is issued.

(2) A candidate whose paramedic license has been expired for 90 days or less may renew the license by submitting an application accompanied by a non-refundable renewal fee that is equal to 1-1/2 times the normally required application renewal fee for that level as listed in subsection (a) (2) (B) of this section. Applicant shall meet one of the recertification options described in subsection §157.34 (b) of this section and submit verification of skills proficiency from an approved education program. If the applicant has already submitted an application and fee, but has not met all of the requirements prior to expiration, another application will not be required, but a total of 1-1/2 fee shall be necessary. The applicant shall be recertified for a period of four years beginning on the date of issuance.

(3) A candidate whose paramedic license has been expired for more than 90 days but less than one year may renew the license by submitting an application accompanied by a non-refundable renewal fee that is equal to two times the normally required application renewal fee as listed in subsection (a) (2) (B) of this section. Applicant shall meet one of the recertification options described in subsection §157.34 (b) of this section and submit verification of skills proficiency from an approved education program. If the applicant has already submitted an application and fee, but has not met all of the requirements prior to the 90th day after expiration, another application will not be required, but a total of two times fee shall be necessary.

(4) The applicant shall be licensed for a period of four years beginning on the date of issuance.

(5) A candidate whose license has been expired for one year or more may not renew the certificate. The candidate may become certified by complying with the requirements of subsection (2) of this section §157.33 (j) of this title.

(e) Voluntary downgrades refer to subsection 157.33 (g) of this chapter.

(f) Renewal by voluntary downgrade refer to subsection 157.34 (a) (5) of this chapter.

(g) Inactive paramedic licensure. A licensed paramedic may make application to the department for inactive licensure at any time during the license period or within one year after the license expiration date.

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(1) The request for inactive licensure shall be accompanied by a nonrefundable fee of \$30 in addition to the regular nonrefundable application fee in paragraph (a)(2)(B) of this section. If the final requirement is completed during the three month period after expiration, the application is considered late and the total fee required will be one and one half times the amount in paragraph (a) (2) (B) of this section. Volunteers are not exempt from inactive fees.

(2) Period of inactive paramedic licensure.

(A) The inactive license period shall begin upon date of issuance of the notice of inactive license and remain in effect until the end of the original active license period for those candidates who are currently licensed. The candidate's active license is surrendered upon issuance of the notice of inactive certification.

(B) If the candidate is within the final year of active licensure and chooses to renew with inactive licensure, the inactive licensure begins on the first day after the expiration of the current active license and shall remain in effect for four years.

(C) If the candidate applies during and/or completes the final requirement for inactive licensure within one year after the expiration of active license, the inactive license period shall remain in effect for four years from the date of issuance of the notice of inactive licensure.

(3) While holding an inactive **licensure**, a person shall not practice other than to act as a bystander rendering first aid or cardiopulmonary resuscitation (CPR) or the use of an Automated External Defibrillator in the capacity of a layperson. Practicing in any other capacity for compensation or as a volunteer shall be cause for denial of reentry and decertification.

(4) An individual shall not simultaneously hold inactive and active EMS personnel certification and/or licensure.

(5) Renewal of inactive licensure.

(A) To renew an inactive license, the applicant shall submit an application and the non-refundable fee, as described in (a) (2) (B) of this subsection before expiration of the inactive license period. A candidate who meets requirements for inactive renewal shall be awarded an inactive license for a period of four years beginning on the first day after the expiration of the previous inactive license.

(B) A candidate whose inactive license has been expired for 90 days or less may renew the inactive license during the 90 day period after expiration of the license upon submitting a fee of 1-1/2 times the normally required renewal fee as described in subsection (a) (2) (B) of this section. If the applicant has already submitted an application and fee, but has not met all of the requirements prior to expiration, another application will not be required, but a

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total of 1-1/2 fee shall be necessary. The applicant shall be relicensed for a period of four years beginning on the date of issuance.

(3) A candidate whose inactive license has been expired more than 90 days but less than one year may renew the inactive license upon submitting a fee of two times the normally required renewal fee as described in subsection (a)(4) of this section. If the applicant has already submitted an application and fee, but has not met all of the requirements prior to the 90th day after expiration, another application will not be required, but a total of two times fee shall be necessary. The applicant shall be relicensed for a period of four years beginning on the date of issuance.

(4) A candidate whose inactive license has been expired more than one year must regain active licensure before reapplying for an inactive license as described in 157.33(1) of this title.

(g) Inactive to active licensure.

(1) An inactive licensed paramedic prior to the expiration of the first four-year inactive licensure period may obtain active licensure by submitting an application and the non-refundable fee to the department, as described in (a)(2)(B) of this section and by completing one of the following options:

(A) Option 1 - meet the normal 4 year CE requirement for paramedic license renewal as listed in subsection 157.34 (b) (2) of this section, submit verification of skills proficiency from an approved education program, and pass the national registry assessment exam.

(B) Option 2 – complete a department approved recertification course, and pass the national registry assessment exam.

(2) An licensee who has held an inactive paramedic license more than four years may return to active licensure only by completing requirements described in subsection (a) (2) of this section or §157.34 (j) of this section.

(h) Reciprocity. A person currently certified by the National Registry and/or certified or licensed as a paramedic in another state and who meets all the requirements of subsections (a) (1) and (a) (2) (B) of this section may apply for paramedic licensure by submitting an application along with a nonrefundable fee of \$120 and meeting the requirements set forth in subsection §157.33 (i) in this section.

(1) After the department evaluates the application, verifies that the requirements for reciprocity have been met, the candidate will be licensed in Texas for four years from the issuance date of the paramedic license.

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(2) Prior to the expiration of the reciprocity license, the certificant shall reapply and renew the license according to the requirements of subsection (b) of this section.

(i) Equivalency. Candidates meeting the following criteria may apply for a paramedic license upon successful completion of the equivalency process as described in subsection §157.33 (j) of this section:

(1) an individual who completed EMS training outside the United States or its possessions;

(2) an individual who is certified or licensed in another healthcare discipline;

(3) an individual whose department issued EMS certification or license has been expired for more than one year, or;

(4) an individual who has held department issued inactive certification or license for more than four years.

(j) Conversion from inactive paramedic certification to inactive paramedic licensure. A certified paramedic currently holding inactive certification who meets all other criteria as defined in subsection (a) (1) of this section may apply for inactive licensure.

(1) The inactive certificant shall:

(A) submit an application for inactive licensure to the department along with a nonrefundable fee of \$120; and

(B) submit evidence of the issuance of a degree from an accredited college or university as defined in subsection (a)(1) of this section.

(2) After verification by the department of the information submitted, an inactive paramedic license will be issued for four years beginning on the day of issuance.

(l) For all applications and renewal applications, the department is authorized to collect subscription and convenience fees, in amounts determined by the Texas Online Authority, to recover costs associated with application and renewal application processing through Texas Online.